IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.87 OF 2006
IN
CRIMINAL APPEAL NO.273 OF 2003

Thakur Lalji Singh ...Applicant

vs.

State of Maharashtra and ors. ...Respondents

Mr.S.R.Page for the Applicant
Mr.S.V.More,A.P.P. for State
Mr.Jayesh Vithlani i/b Mr.Prakash Shetty for Respondent Nos.2 and 3
Ms Pragya Pansari for intervenor.

CORAM: A.S.OKA,J.
DATE : DECEMBER 15,2006.

P.C.:

1. Heard Shri Page for the Applicant. Prayer (b) in this Application is for directing the first Respondent-State of Maharashtra to unseal the property allegedly owned by the Applicant and to hand over the peaceful possession of the property to the Applicant.

2. An application was made by the Applicant before the Trial Court for unsealing the property. The said application has been rejected by the Trial Court by the order which is impugned in the Appeal. There appears to be a large claim of investors. The Applicant claims to be a bonafide purchaser of the property. Whether the Applicant is a bonafide purchaser of the property or not will have to be gone into at the time of final hearing of the Appeal. Granting prayer (b) at this

stage will amount to granting final relief in the Appeal even before the Appeal is heard. Hence, prayer (b) cannot be granted at this stage.

3. So far as prayer (c) is concerned, the hearing of the Appeal deserves to be expedited.

4. Hence, I pass the following order :

i) Prayer (b) in the Application is rejected.

ii) Hearing of the Appeal is expedited. Liberty to apply for fixing an early date of hearing after the Appeal is ready in all respects.

JUDGE